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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/754,147	01/05/2001	Bas Ording	P2428USX-722	3465
21839	7590	01/30/2004	EXAMINER	
BURNS DOANE SWECKER & MATHIS L L P			WALLACE, SCOTT A	
POST OFFICE BOX 1404			ART UNIT	
ALEXANDRIA, VA 22313-1404			PAPER NUMBER	
			2671	
			DATE MAILED: 01/30/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/754,147

Applicant(s)

ORDING, BAS

Examiner

Scott Wallace

Art Unit

2671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5,7,8,10-17 and 19-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5,7,8,10-17 and 19-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

**Status of claims**

Claims 1-5, 7-8, 10-17, 19-29 are in the Application.

Claims 6, 9, 18 have been cancelled by applicants amendment.

Claims 1-5, 7-8, 10-17, 19-29 are rejected.

1. Applicant's arguments, filed 10/22/03 with respect to claims 1-5, 7-8, 10-17, 19-29 have been fully considered and are persuasive. The finality of 04/22/03 has been withdrawn.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5, 7-8, 10, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al (Animation: From Cartoons to the User Interface) in view of Mochizuki et al., U.S. Patent No. 6,414,684.

3. As per claim 1, Chang teaches a method for moving an object in a graphical user interface, comprising the steps of  
a) determining a path of movement for the object along at least one axis, and a period of time for the movement along said path (Fig. 8: starting and ending positions; fig.9); b) establishing a non-constant velocity function along said axis for said period of time (page 51: slow-in and slow-out movement with faster movement in the middle); c) calculating an instantaneous position for the object along said path in accordance with said function and the relationship of a current time value to said period of time (fig.8 and fig.9); d) displaying said object at said calculated position (fig.8 and fig.9); and e) iteratively repeating steps (c) and (d) during said period of time (fig.8 and fig.9). However, Chang et al does not specifically teach calculating an instantaneous position for the object along said path in accordance with said function and the relationship of a current time value to said period of time. This is disclosed in Mochizuki et al in the abstract and fig 15b. It would have been obvious to one of ordinary skill in the art to use the current time value with the period of time to calculate the instantaneous position because it is well known that finding the position of an object moving during a particular time that at any instant of time position can be found. In this case the angle or position of the component is known at each time in relation to the whole time period.

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4. As per claim 2, Chang teaches a non-linear function for velocity (fig. 8; fig. 9; page 51: slow-in slow-out).

5. As per claim 3, Chang implicitly teaches the function being a sinusoidal function, since Chang teaches the velocity of the object increases gradually to a maximum value in the slow-in phase, and then decreases gradually, similar to a sine function.

6. As per claim 4, Chang teaches the steps of: determining the amount of time that has elapsed since the beginning of said period of time, and determining the instantaneous position of the object along said path (fig. 8 & fig. 9; page 51). As per calculating the ratio of said elapsed amount of time to the total duration of said period of time, and applying said ratio to said function to determine a translation factor; and using the translation factor to determine the instantaneous position of the object such is known as taught by Chang, since Chang displays translation from initial position to current position based on time, distance and velocity.

7. As per claim 5, Chang teaches a method for moving an object in a graphical user interface, comprising the steps of identifying a starting location for the object; selecting a final location for the object (fig.8: beginning and final pose; fig.9); displaying said object at sequential positions along a path from said starting location to said final location at increments of time (fig.8; fig.9), such that the distance between successive positions varies so that the object appears to be moving at a changing velocity (fig.8, fig.9).

8. Claims 7 are similar to claims 3, and hence are rejected with the same rationale. Claims 8,10 are similar to claims 5,7, and hence are rejected with the same rationale. Claim 20 is a user interface claim for a combination of claims 1 and 2, and hence is rejected with the same rationale as claims 1 and 2. Claim 21 is a user interface claim for claim 3, and hence is rejected with the same rationale.

9. Claims 14-16, 17, 19, and 25-26 are program medium and system claims for the method claims of 1-3, and 5, 7 respectively, and hence are rejected with the same rationale, as it would have been obvious to have a storage medium to store the program of the method, and a system to execute such programs.

10. Claims 11, 22, and 27 are rejected under 35 U.S.C.103(a) as being unpatentable over Chang et al (Animation: From Cartoons to the User Interface: 1993: ACM 0-89791-628X/93/0011), as applied to claims 8, 20, and 25 respectively in view of Mochizuki et al, and further in view of IBM TDB article ("Window Closing Animations": IBM Technical Disclosure Bulletin, US, IBM Corp, NY; 1 Nov. 1995; ISSN 0018-8689).

As per claim 11, IBM TDB article teaches user action of minimizing a window, and animations for minimizing a window. Hence, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the animation for minimizing the window in the invention of Chang and Mochizuki, in order to provide effective feedback on user action.

Claims 22 and 27 are similar to claim 11, and hence are rejected with the same rationale.

11. Claims 12, 13, 23, 24, 28, and 29 are rejected under 35 U.S.C.103(a) as being unpatentable over Chang et al (Animation : From Cartoons to the User Interface : 1993: ACM 0-89791-628-X/93/0011), as applied to claims 8, 20, and 25 respectively in view of Mochizuki et al, and further in view of Ellison-Taylor (US 5,796,402).

12. As per claims 12 and 13, Ellison-Taylor teaches a tiling program that aligns the windows based on the relative position and size of the windows when the request is made (Col.3: lines 2748), thus teaching implicitly the moving of objects in a series toward the space occupied by the removed object when an object is removed, and away from the inserted object when an object is inserted. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the tiling of Ellison-Taylor in the invention of Chang and Mochizuki, so that the objects may be displayed in their final positions without overlap, so that all the objects in the display area are visible to the user concurrently.

13. Claims 23-24, and 28-29 are similar to claims 12-13, and hence are rejected with the same rationale.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Scott Wallace** whose telephone number is **703-605-5163**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mark Zimmerman**, can be reached at 703-305-9798.

**Any response to this action should be mailed to:**


Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

  
**MARK ZIMMERMAN**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**